United Nations S/2004/981

Security Council

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France, Germany, Romania, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling its previous resolutions and statements by its President on the situation in Liberia and West Africa,

Taking note of the reports of the United Nations Panel of Experts on Liberia dated 24 September 2004 (S/2004/752) and 6 December 2004 (S/2004/955) submitted pursuant to resolution 1549 (2004),

Taking note of the letter from the Special Representative of the Secretary-General in Liberia of 13 December 2004 to the Chairman of the Committee established by paragraph 21 of resolution 1521 (2003),

Recognizing the linkage between the illegal exploitation of natural resources such as diamonds and timber, illicit trade in such resources, and the proliferation and trafficking of arms as one of the sources of fuelling and exacerbating conflicts in West Africa, particularly in Liberia,

Recalling that the measures imposed under resolution 1521 (2003) were designed to prevent such illegal exploitation from fuelling a resumption of the conflict in Liberia, as well as to support the implementation of the Comprehensive Peace Agreement and the extension of the authority of the National Transitional Government throughout Liberia,

Expressing its satisfaction that the full deployment of the United Nations Mission in Liberia (UNMIL) has contributed to the improvement of security throughout Liberia, while recognizing that the National Transitional Government has not yet established its authority throughout Liberia,

Expressing concern that former President Charles Taylor and others still closely associated with him continue to engage in activities that undermine peace and stability in Liberia and the region,

Having reviewed the measures imposed by paragraphs 2, 4, 6 and 10 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004) and the progress towards achieving the objectives set forth in paragraphs 5, 7 and 11 of resolution 1521 (2003),

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Welcoming the steps taken by the National Transitional Government of Liberia towards meeting the conditions established by the Security Council for lifting the measures imposed by resolution 1521 (2003),

Noting the completion of demobilization and disarmament, respect for the ceasefire and implementation of the Comprehensive Peace Agreement, but *emphasizing* that significant challenges remain in completing reintegration, repatriation and restructuring of the security sector, as well as establishing and maintaining stability in Liberia and the subregion,

Noting with concern that, despite having initiated important reforms, the National Transitional Government of Liberia has made only limited progress towards establishing its full authority and control over the timber-producing areas and towards ensuring that government revenues from the Liberian timber industry are not used to fuel conflict or otherwise in violation of the Council's resolutions but are used for legitimate purposes for the benefit of the Liberian people, including development,

Welcoming the start of preparations by the National Transitional Government of Liberia to establish an effective Certificate of Origin regime for trade in rough diamonds that is transparent and internationally verifiable, looking forward to the visit by representatives of the Kimberley Process to Liberia in early 2005, encouraging the Government to continue its preparations in that regard and urging States to increase their support for its efforts,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides*, on the basis of its assessments above of progress made by the National Transitional Government of Liberia towards meeting the conditions for lifting the measures imposed by resolution 1521 (2003):

(a) to renew the measures on arms and travel imposed by paragraphs 2 and 4 of resolution 1521 (2003) for a further period of 12 months from the date of adoption of this resolution, and to review them after six months;

(b) to renew the measures on timber imposed by paragraph 10 of resolution 1521 (2003) for a further period of 12 months from the date of adoption of this resolution, and to review them after six months;

(c) to renew the measures on diamonds imposed by paragraph 6 of resolution 1521 (2003) for a further period of six months from the date of adoption of this resolution, but to review them after three months in the light of the Kimberley Process visit and the preliminary report of the Expert Panel requested in paragraph 8 (f) below, with a view to lifting the measures as soon as possible, when the Council concludes that the National Transitional Government has established an effective Certificate of Origin regime for trade in rough diamonds that is transparent and internationally verifiable;

2. *Reiterates* the Council's readiness to terminate these measures once the conditions referred to in paragraph 1 above have been met;

3. *Encourages* the National Transitional Government of Liberia to intensify its efforts to meet these conditions, in particular by implementing the Liberia Forest

Initiative and the necessary reforms in the Forestry Development Authority, and urges all members of the National Transitional Government to commit themselves to this end for the benefit of the Liberian people;

4. *Notes* that the measures imposed by paragraph 1 of resolution 1532 (2004) remain in force to prevent former President Charles Taylor, his immediate family members, senior officials of the former Taylor regime, or other close allies or associates from using misappropriated funds and property to interfere in the restoration of peace and stability in Liberia and the subregion, and *reconfirms its intention* to review these measures at least once a year;

5. *Reiterates* its call on the international donor community to continue to provide assistance to the peace process, including for reintegration and reconstruction, to contribute generously to consolidated humanitarian appeals, to disburse as soon as possible the pledges made at the Liberia Reconstruction Conference held in New York on 5-6 February 2004 and to respond to the immediate financial, administrative and technical needs of the National Transitional Government of Liberia, in particular to assist the Government to meet the conditions referred to in paragraph 1 above, so that the measures can be lifted as soon as possible;

6. *Restates* its demand that all States refrain from any action that might contribute to further destabilization of the situation in the subregion and further demands that all West African States take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries;

7. *Reminds* all States of their obligation to implement all the measures under resolutions 1521 (2003) and 1532 (2004) and particularly *urges* the National Transitional Government of Liberia to implement without delay its obligations under paragraph 1 of resolution 1532 (2004) to freeze the assets of all persons designated by the Committee established by paragraph 21 of resolution 1521 (2003) ("the Committee");

8. *Decides* to re-establish the Panel of Experts appointed pursuant to resolution 1549 (2004) for a further period until 21 June 2005 to undertake the following tasks:

(a) to conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the implementation, and any violations, of the measures referred to in paragraph 1 above, including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (a) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade of arms;

(b) to assess the impact and effectiveness of the measures imposed by paragraph 1 of resolution 1532 (2004);

(c) to assess the progress made towards meeting the conditions referred to in paragraph 1 above;

(d) to assess the humanitarian and socio-economic impact of the measures imposed by paragraphs 2, 4, 6 and 10 of resolution 1521 (2003);

(e) to report to the Council through the Committee by 7 June 2005 on all the issues listed in this paragraph;

(f) to provide a preliminary report to the Council through the Committee by 21 March 2005 on progress towards meeting the conditions for lifting the measures on diamonds imposed by paragraph 6 of resolution 1521 (2003);

9. *Requests* the Secretary-General, acting in consultation with the Committee, to appoint as soon as possible no more than five experts, with the appropriate range of expertise, in particular on arms, timber, diamonds, finance, humanitarian and socio-economic and any other relevant issues, drawing as much as possible on the expertise of the members of the Panel of Experts established pursuant to resolution 1549 (2004), and further requests the Secretary-General to make the necessary financial and security arrangements to support the work of the Panel;

10. *Calls upon* UNMIL and the United Nations Missions in Sierra Leone and Côte d'Ivoire to continue assisting the Committee and the Panel of Experts in accordance with paragraph 23 of resolution 1521 (2003);

11. *Calls upon* all States and the National Transitional Government of Liberia to cooperate fully with the Panel of Experts;

12. *Requests* the Secretary-General to submit a report to the Council by 7 June 2005, drawing on information from all relevant sources, including the National Transitional Government of Liberia, UNMIL and the Economic Community of West African States, on progress made towards meeting the conditions mentioned in paragraph 1 above;

13. *Decides* to remain seized of the matter.

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Letter dated 16 December 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

In its resolution 1373 (2001) of 28 September 2001, the Security Council called upon all States to report to the Counter-Terrorism Committee by 27 December 2001 on the steps taken to implement that resolution, and thereafter according to a timetable set by the Committee. In the declaration adopted by the Council in its resolution 1456 (2003) of 20 January 2003, the Security Council, meeting at the level of Ministers for Foreign Affairs, stressed the obligation of States to report to the Committee according to the timetable set by it and requested the Committee to report regularly on progress.

In the work programme of the Counter-Terrorism Committee for the eleventh 90-day period, the Committee urged all States that had not submitted their reports on time to submit them as soon as possible in fulfilment of the provisions of resolution 1373 (2001). The work programme further indicated the intention of the Chairman of the Committee to write to the Security Council with the list of States late in submitting their reports.

As of the date of the present letter, a total of 75 States, listed in the attached annex, have failed to meet the reporting deadlines for the submission of outstanding second, third and fourth reports. Of these, seven States have contacted the Committee to request an extension of the deadline.

The Counter-Terrorism Committee will continue to be in contact with the States concerned and remains available to discuss any aspect of the submission of the reports requested, as well as any assistance that may be required. The Committee continues to be of the view that submitting reports in a timely manner is the best way for States to find the assistance they may need to implement resolution 1373 (2001). The Counter-Terrorism Committee Executive Directorate, as well as its experts, stands ready to offer assistance and guidance to States in their implementation of the resolution.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Andrey I. **Denisov**

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Annex

List of late reports (date in brackets denotes due date of report)

1. **Member States late in submitting their second report (31)**

Benin (8 November 2002)

Bhutan (20 August 2002)

Burundi (24 July 2002)

Cape Verde (20 August 2002)

Central African Republic (15 August 2003)

Chad (29 March 2004)

Comoros (23 January 2003)

Dominica (29 September 2003)

Equatorial Guinea (10 October 2003)

Eritrea (25 November 2002)

Gambia (17 October 2003)

Ghana (23 January 2003)

Guinea-Bissau (2 January 2004)

Kiribati (23 January 2003)

Liberia (10 October 2003)

Malawi (27 November 2002)

Micronesia (2 December 2002)

Palau (2 December 2002)

Saint Kitts and Nevis (2 January 2004)

Saint Lucia (11 July 2003)

Sao Tome and Principe (26 December 2003)

Sierra Leone (12 November 2003)

Solomon Islands (25 February 2003)

Somalia (24 June 2002)

Swaziland (19 December 2003)

Togo (21 June 2003)

Tuvalu (19 December 2003)

United Republic of Tanzania (23 January 2003)

Vanuatu (2 January 2004)

Zambia (27 December 2002)

Member State that has requested an extension of deadline

Honduras (30 August 2002)

2. **Member States late in submitting their third report (34)**

Afghanistan (10 October 2003)

Antigua and Barbuda (19 December 2003)

Bangladesh (11 July 2003)

Brunei Darussalam (12 February 2004)

Burkina Faso (26 December 2003)

Cameroon (26 December 2003)

Congo (17 May 2004)

Côte d'Ivoire (15 March 2004)

Democratic Republic of the Congo (12 February 2004)

Ethiopia (28 July 2003)

Fiji (17 October 2003)

Gabon (26 December 2003)

Georgia (7 July 2003)

Grenada (15 March 2003)

Guinea (26 December 2003)

Guyana (2 July 2004)

Haiti (12 February 2004)

Lao People's Democratic Republic (12 November 2003)

Madagascar (22 January 2004)

Maldives (30 September 2004)

Mali (7 October 2004)

Mauritania (22 January 2004)

Mongolia (17 July 2003)

Mozambique (19 August 2004)

Nauru (8 September 2003)

Nigeria (8 September 2003)

Papua New Guinea (28 June 2004)

Samoa (28 June 2004)

Suriname (28 June 2004)

Trinidad and Tobago (17 July 2003)

Zimbabwe (19 December 2003)

Member States that have requested an extension of deadline

Albania (25 February 2003)

Saint Vincent and the Grenadines (19 December 2003)

Tonga (29 March 2004)

3. **Member States late in submitting their fourth report (10)**

Democratic People's Republic of Korea (9 April 2004)

Kenya (28 October 2004)

Libyan Arab Jamahiriya (30 September 2004)

Lithuania (19 August 2004)

Malta (30 September 2004)

Nepal (30 September 2004)

Nicaragua (7 October 2004)

Member States that have requested an extension of deadline

Barbados (9 April 2004)

Israel (28 October 2004)

Netherlands (30 April 2004)